

May 21, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAMES ANTHONY WILLIAMS,  
Plaintiff,

v.

DR. RAINER, DR. GAGE,  
SUPERINTENDENT HOLBROOK,  
ASSOCIATE SUPERINTENDENT  
BOWMAN, C/O GALLOWAY, SGT.  
FLOREZ, DR. VARNEL, DR. SMITH,  
DR. REYES, P.A. PHILIPS, P.A.  
AMBROSE, and HEALTH SERVICES  
COORDINATOR CHAPPELLA,  
Defendants.

NO. 4:17-cv-05213-SAB

**ORDER DENYING LEAVE TO  
PROCEED *IN FORMA*  
*PAUPERIS* AND DISMISSING  
ACTION**

By Order filed March 7, 2018, the Court directed Plaintiff to show cause why his application to proceed *in forma pauperis* should not be denied. ECF No. 14. In the alternative, Plaintiff was instructed that he could pay the \$400.00 fee (\$350.00 filing fee, plus \$50.00 administrative fee) to commence this action under 28 U.S.C. § 1914. He did not do so.

Plaintiff, a *pro se* prisoner currently housed at the Monroe Correctional Complex-Intensive Management Unit in the Western District of Washington, has brought at least three other cases which were dismissed for failure to state a claim. *See* ECF No. 14 at 2. Consequently, he lost the privilege of filing additional suits

**ORDER DENYING LEAVE TO PROCEED *IN FORMA PAUPERIS* AND  
DISMISSING ACTION -- 1**

1 *in forma pauperis* unless he could demonstrate that he is “under imminent danger  
2 of serious physical injury.” 28 U.S.C. § 1915(g); *Andrews v. Cervantes*, 493 F.3d  
3 1047, 1053 (9th Cir. 2007). Plaintiff did not make this showing.

4 Therefore, **IT IS ORDERED** Plaintiff’s application to proceed *in forma*  
5 *pauperis*, ECF No. 2, is **DENIED**. Because Plaintiff did not pay the \$400.00 fee as  
6 instructed in the Court’s prior Order, **IT IS FURTHER ORDERED** this action is  
7 **DISMISSED** for non-payment of the filing fee as required by 28 U.S.C. § 1914.

8 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,  
9 enter judgment, forward a copy to Plaintiff, and close the file. The Court certifies  
10 any appeal of this dismissal would not be taken in good faith.

11 **DATED** this 21<sup>st</sup> day of May 2018.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

19 Stanley A. Bastian  
20 United States District Judge  
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